

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 18-06

February 13, 2018

TO: All Regional Directors, Officers-in-Charge,
and Resident Officers

FROM: Beth Tursell, Associate General Counsel

SUBJECT: Casehandling Cost Saving Instructions for Fiscal Year 2018

As you are well aware, the Agency continues to operate under a continuing resolution (through March 23rd). Despite what you may have read in the paper, our FY 18 budget remains at \$258 million which is down \$16 million from the FY 17 figure. The FY19 guidance from the Office of Management and Budget has further directed the agency to reduce its funding level by a significant margin. In the meantime, the Agency is under a continuing resolution that reduces our overall budget by .7%, accordingly the entire Agency is carefully reviewing ways in which we can reduce and control spending in the coming year. This memorandum is directed to the field, but I assure you that more Agency-wide and headquarters cost cutting initiatives are also in the works and will be announced in the near future. The items listed below were developed by a Cost Savings Work Group¹ in FY17 and were recently approved by the Board. I encourage anyone with additional cost cutting suggestions to contact me and all ideas will be carefully considered. We want to ensure that we continue to effectively enforce the National Labor Relations Act and service our stakeholders throughout the year.

TRAVEL

Travel Coordinator: The Travel Coordinator in each Region should continue to manage Regional travel on a daily basis, clustering travel assignments for Board agents and avoiding nonessential travel while ensuring that appropriate, alternative investigative techniques are employed in lieu of travel whenever possible. Interregional coordination of travel for investigations is encouraged. Travel coordinators in contiguous Regions should be in frequent contact to permit agents traveling in the outskirts of their Regions to assist in investigations or elections in the outskirts of a contiguous region. Use of GSA cars when available and when cost effective should be encouraged. When travel by air is absolutely necessary, the most cost efficient arrangements should be employed.

¹ The committee included: Jennifer Abruzzo, Prem Aburvasamy, Richard Bock, Karen Cook, Robert Giannasi, Jessica Graham, David Habenstreit, Chris Henshaw, Harry Jones, Synta Keeling, Jason Leff, Dallas Manuel II, Coleen Maples, Eric Marks, Anna Middlebrook, Paul Murphy, Kathleen Nixon, Barbara O'Neill, Peter Ohr, Marsha Porter, Burt Pearlstone, Tom Pojeta, Anne Pomerantz, Kim Sanford, Bob Schiff, Gary Shinnners, Shelly Skinner, Miriam Szapiro, Angela Thompson, Elicia Watts and Chonita Young.

Travel Management Centers: Travel arrangements must be made through the E2 Travel System/Sato Travel to ensure NLRB is in compliance with the [Federal Travel Regulations](#) (specifically, FTR §301-50.3, §301-10.106, §301-11.11). When booking travel, individuals are strongly encouraged to book travel via the [E2 website](#) instead of calling Sato Travel. The cost of booking airfare on line is \$7.52 vs \$33.07 if the same arrangements are handled over the phone. Similarly, the cost of booking a hotel on line is \$7.01 vs \$15.47 if the same arrangements are handled over the phone. Instructions on booking travel on line can be found on [Sharepoint](#). Whenever possible, consistent with [APC-12-01](#), employees are required to use their government Citibank card to charge lodging, rental cars, and subsistence expenses for which the Agency will also receive a rebate. Employees should obtain and use tax exemption certificates or forms where appropriate. Employees should also be reminded that they can participate in the Gainsharing Travel Savings Incentive Award Program. See [APC 00-05](#).

Travel Responsibilities of the Parties: Except when Board agent travel can be coordinated, or under special circumstances, all institutional charging parties within 120 miles of the field office location should be encouraged to travel to the office to present evidence and give affidavit testimony. It is reserved to the sound discretion of the Regional Director to determine whether Board agent travel should be invested in the investigation where the institutional charging party is unwilling to travel up to 120 miles to the Regional Office. In exercising this discretion, the Director should be sensitive to the hardship such a requirement might impose on certain parties. Charged parties and their witnesses located within 120 miles should be strongly encouraged to travel to the office. If the charged party is unwilling to provide affidavits, Board Agents should generally not go to the Charged Party's facility, instead requesting video conference interviews and a position statement. Unfair labor practice and representation case hearings should be conducted in the field office in cases involving employers located within 120 miles from the field office city. Regional Office managers must exercise judgment where the presence of witnesses at hearings must be compelled by subpoena and costs associated with subpoenas make the conduct of the hearing in a location remote from the Region cost effective. Use of video conferencing for Representation cases should be considered where travel costs are substantial. See Memorandum [OM 11-42](#). Similarly, Regions should make appropriate use of videoconferencing in ULP investigations as well as in trial, in the latter case by making application to the ALJ pursuant to Section 102.35(c)(1)..

Outreach: Notwithstanding the Agency's current budget uncertainty, we must continue to pursue the General Counsel's Outreach Initiative. However, in doing so we must be mindful of the costs involved and the competing demands on our scarce budgetary resources. When engaging in outreach activities, we must make every effort to combine necessary outreach travel with travel for casehandling, thereby saving additional costs. If outreach activities cannot be combined with casehandling, outreach activities that incur any expense must first be approved by DAGC David Kelly. At the present time, these expenses are generally not being approved unless the expense is reimbursed by the organization requesting the outreach or has an extremely high benefit to cost ratio. In the event the expenses are going to be reimbursed, a Form

5475 needs to be completed and approved by Operations-Management and the Ethics Branch. Please remember that we may not under any circumstances suggest or solicit reimbursement – it must be offered by the organization requesting the outreach without any prompting. Similarly, full advantage should be made of the outreach materials we now have available (see the Outreach section of the Operations page of the [SharePoint intranet site](#)).

MAIL, WRITTEN COMMUNICATIONS

Decrease Reliance on Private Delivery Services and Certified Mail: Regions should significantly decrease the use of UPS (unless economically justified) and certified mail, especially for interoffice mail. Eliminate the use of these services if “next day delivery” is not required or would mean Saturday delivery.

Electronic Mail: Increase use of E-mail in place of correspondence to and from Headquarters and between field offices and with the parties. Continue to encourage the parties to e-file documents during the course of the investigation.²

SUPPLIES

Purchase Cards: Office supplies and services should be purchased with an Agency Purchase Card. Use of the card ensures that the price at purchase is the price billed to the Agency and a rebate is paid to the Agency based upon the amount charged.

Bulk Orders: Regions are strongly encouraged to continue using the bulk ordering process. This process of ordering allows us to leverage our volume buying capability to drive down the cost of supplies. It is important to order items for the entire quarter, which is the frequency for placing such orders (November, February, May, August).

PHOTOCOPY EQUIPMENT USE

Use of office photocopy machines should be prudently monitored and abuse prevented. Double-sided photocopying should be used whenever possible. Regions are strongly encouraged to utilize the [GPOExpress Program](#) for large copying projects. A brief explanation of this program can be found on the [GPOExpress website](#).

PAPER REDUCTION

Public Documents: Representation Case Decisions, Complaints and Notices of Hearings are often double-spaced. While this is not required by the Agency’s rules and regulations, the Board’s preference is that these documents be submitted double spaced. However, please consider using single space and double-sided copying for documents that are not filed with the Board or courts.

² Additional guidance will be issuing shortly regarding email service of Regional office documents.

Use of e-mail: Maximize the use of e-mail for interoffice announcements of general interest and for posting of vacancy notices. E-mail messages relevant to a case investigation should be uploaded into NxGen, rather than printed out.

NxGen: Upload all relevant case handling documents to be submitted to Headquarters into NxGen. If for some reason that is not possible, E-mail all documents submitted to Headquarters.

OTHER REDUCTIONS

Consistent with the Cost Savings Work Group's recommendations, additional savings should be achieved in a number of areas. These include: reductions in expenditures associated with NxGen upgrades and maintenance; elimination of various OCIO products and services; elimination of Health Units in both field offices and in Headquarters; deferral of monetary awards for unit and non-unit employees; reducing training expenses for both bargaining unit employees and supervisors and managers; eliminating the Headquarters cleaning contractor; eliminating subscriptions to various publications; and eliminating second copy machines in five field offices.

Vigilance in the management of our limited resources in the coming year must be maintained if we are to continue to enforce the Act effectively and provide the essential services we perform to the national economy and to individual working people and businesses across the land while avoiding dislocations of our employees. Hiring opportunities in FY 2018 will be extremely limited, so we must carefully manage our resources in order to handle the Agency's caseloads as effectively as possible.

We appreciate all of your past efforts in controlling costs and will keep you advised of the FY 2018 budget situation as it develops. If you have any questions about the foregoing, please contact your Assistant General Counsel or Deputy or me.

/s/
B.T.

cc: NLRBU

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